

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA,  
SOUTHERN DIVISION

REGIS INSURANCE COMPANY,

Plaintiff,

vs.

1:06-cv-125-MEF

P&C GROCERS, INC., a corporation;

CHARLES PARKER, an agent of same; and

CECELIA GIBBS, an individual;

Defendants.

**REPORT OF PARTIES' PLANNING MEETING**

1. Pursuant to Fed. R. Civ. P. 26(f), a party planning meeting was held by phone at 11:15 a.m. on March 29, 2006, and was attended<sup>1</sup> by:

Brennan C. Ohme for Plaintiff Regis Insurance Company  
James Douglas McElvy for Defendants P&C Grocers, Inc., and  
Charles Parker

2. **Pre-Discovery Disclosures.** The parties will exchange by May 12, 2006, the information required by Fed. R. Civ. P. 26(a)(1).

3. **Discovery Plan.** The parties propose the following discovery plan:

- (a) Discovery will be needed on the following subjects: Contract Provisions, Application of Same, and Facts/Circumstances of the Underlying Suit.

---

<sup>1</sup>Defendant Cecelia Gibbs has not yet filed an answer or otherwise appeared in this action.

- (b) Plaintiff proposes that all discovery shall be commenced in time to be completed by August 31, 2006.

Defendants P&C Grocers, Inc., and Charles Parker propose that all discovery shall be commenced in time to be completed by November 30, 2006.

- (c) Maximum of 25 interrogatories by each party to any other party. Responses due 30 days after service.
- (d) Maximum of 25 requests for production of documents by each party to any other party. Responses due 30 days after service.
- (e) Maximum of 25 requests for admissions by each party to any other party. Responses due 30 days after service.
- (f) Maximum of 5 depositions by plaintiff and 5 by defendant(s). Each deposition limited to a maximum of 8 hours unless extended by agreement of parties.
- (g) Plaintiff proposes that reports from retained experts under Rule 26(a)(2) be due:

from plaintiff by July 21, 2006;  
from defendant(s) by August 4, 2006.

Defendants P&C Grocers, Inc., and Charles Parker propose that reports from retained experts under Rule 26(a)(2) be due:

from plaintiff by September 29, 2006;  
from defendant(s) by October 20, 2006.

- (h) Supplementation under Rule 26(e) due 30 days before close of discovery.

**4. Other Items.**

(a) The parties do not request a conference with the court before entry of the scheduling order.

(b) Plaintiff requests a final pretrial conference in October 2006.

Defendants P&C Grocers, Inc., and Charles Parker request a final pretrial conference in December 2006.

(c) Plaintiff shall be allowed until July 7, 2006, join additional parties and to amend the pleadings. Defendants shall be allowed until July 21, 2006, to join additional parties and to amend the pleadings.

(d) Plaintiff proposes that all potentially dispositive motions should be filed by July 31, 2006.

Defendants P&C Grocers, Inc., and Charles Parker propose that all potentially dispositive motions should be filed by October 30, 2006.

(e) Settlement cannot be evaluated before the close of discovery. The parties will consider ADR after discovery.

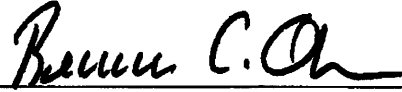
(f) Final lists of witnesses and exhibits under Rule 26(a)(3) should be due:

From plaintiff 21 days before trial;  
From defendant(s) 14 days before trial.

(g) Parties should have 7 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

Plaintiff proposes that the case should be ready for trial on November 6, 2006. Defendants P&C Grocers, Inc., and Charles Parker propose that the case should be ready for trial on January 12, 2007. At this time, the trial is expected to take approximately 2-3 days.

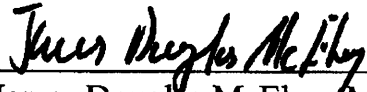
Date: March 29, 2006.



Bert S. Nettles (NET001)  
Brennan C. Ohme (OHM001)  
Attorneys for Plaintiff Regis Insurance  
Company

**Of Counsel:**

HASKELL SLAUGHTER YOUNG & REDIKER, L.L.C.  
2001 Park Place North  
1400 Park Place Tower  
Birmingham, Alabama 35203  
(205) 251-1000  
(205) 324-1133 (FAX)  
[bsn@hsy.com](mailto:bsn@hsy.com)  
[bco@hsy.com](mailto:bco@hsy.com)

 WITH PERMISSION - TSC0

James Douglas McElvy (MCE006)  
Attorney for Defendants P&C Grocers,  
Inc., and Charles Parker

**Of Counsel:**

AZAR & AZAR, LLC  
260 Washington Avenue  
Montgomery, Alabama 36104  
(334) 265-8551  
(334) 261-3489 (FAX)  
[dmcelvy@azarlaw.com](mailto:dmcelvy@azarlaw.com)

*D. McElroy*  
AZAR + AZAR LLC  
P.O. Box 2028  
Montgomery, AL 36102  
334-265-8551